

6. Defendant Niangua R-V School District was served with a copy of Plaintiff's Petition on November 18, 2019. On December 13, 2019, undersigned counsel entered her appearance for Defendant.

7. This Notice of Removal is timely filed within the 30 days permitted by 28 U.S.C. § 1446(b).

8. Contemporaneously herewith, Defendant has filed and served Plaintiff a written notice of the filing of this Notice of Removal as required by 28 U.S.C. § 1446(d). A copy of that Notice is attached hereto as **Exhibit B**.

9. Pursuant to the requirements of 28 U.S.C. § 1446(d), promptly after filing this Notice of Removal, Defendant shall send a Notice to the State Court to the Clerk of the Thirtieth Circuit Court of Missouri, Webster County, for filing. A copy of that Notice is attached hereto as **Exhibit C**.

WHEREFORE, Defendant Niangua R-V School District respectfully requests the action, captioned *Loretta Nelson, individually and on behalf of all others similarly situated v. Niangua R-V School District* which is currently pending in the Circuit Court of Webster County, Missouri under Case No. 19WE-CC00078 be removed to this Court, that this Court exercise jurisdiction over this action, and that the Court grant such other and further relief as it deems just and proper.

Respectfully submitted,

MICKES O'TOOLE, LLC

By: /s/ Kathryn B. Forster

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Attorney for Defendant

Niangua R-V School District

CERTIFICATE OF SERVICE

I hereby certify that on the 13th day of December, 2019, a true and correct copy of the foregoing Notice of Removal was served via electronic mail and by U.S. mail, postage prepaid, to:

Jerry M. (Jay) Kirksey

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Attorneys for Plaintiff

/s/ Kathryn B. Forster